

Special class legislation in the United States

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SPECIAL CLASS LEGISLATION IN THE UNITED STATES

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by

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SPECIAL CLASS LEGISLATION IN THE UNITED STATES

Chapter One

INTRODUCTION

The successful work of the state institutions for the feeble-minded in the United States demonstrated that this type of child can be successfully trained according to his mental capacity. The attention of educators and the public in general, has been focused upon the presence of similar children in the public schools, and the problems which they create in the administration of public school education. The results of their studies and observations contributed to the organization of special classes or schools.

The enactment of the compulsory attendance laws forced large numbers of feeble-minded children who had previously remained at home or roamed the streets, into the public schools. It was soon found that these children could not be reached by the ordinary processes of the schools. The attempt to mould them into a common pattern by means of uniform methods of instruction and standardized subject matter proved a failure; these children merely vegetated in the primary grades. Accordingly the feeling arose that it would be necessary either to organize special classes for these individuals, or to transfer them to residential

institutions, or to exclude them entirely from school. Since these children would benefit by public instruction and most of them would become respectable, self-supporting citizens in the community, and since institutionalization of them seemed undesirable, special classes were founded in the public schools.

Chapter Two

COMPULSORY EDUCATION IN FIFTEEN STATES

To date, fifteen states have enacted statutes making mandatory or permissive the establishment of special classes or schools for mentally handicapped children in connection with the public schools. These states, with the dates of the original statutes are: New Jersey, 1911; Minnesota, 1915; Illinois, 1917; New York, 1917; Pennsylvania, 1919; Wisconsin, 1919; Wyoming, 1919; Missouri, 1919; Massachusetts, 1919; California, 1921; Connecticut, 1921; Utah, 1921; Louisiana, 1922; Oregon, 1923; Alabama, 1927.

The statutes of eight of these states make the establishment of special classes mandatory under certain conditions; Alabama, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Utah, and Wyoming. In the other states, the establishment of this type of class is left permissive, generally, within the discretion of local educational authorities.

New Jersey in 1911, New York in 1917, Massachusetts in 1920, and Alabama in 1927, made it obligatory for boards of education to ascertain the number of pupils in the district who are three years or more retarded in mental devel-

opment, to establish special classes when there are ten or more such children, to transfer the assigned pupils, and to provide them with instruction adapted to their needs. The enrollment is limited to fifteen pupils to the class. New York allows the board of education of a district in which there are ten or less such children, to contract with the board of another district for their education. State aid is granted in New Jersey to the amount of \$500. for each teacher employed; and in New York, half of the teacher's salary up to \$1,000. provided that the teacher holds a certificate of eligibility for teaching defectives. The compulsory attendance age in New Jersey, New York, and Massachusetts is 7-16; in Alabama, 8-16.

Pennsylvania has required, since July 22, 1919, boards of directors to provide or maintain special classes or schools for pupils, who, because of apparent physical or mental condition are not being properly trained or educated, and who have certified as fit subjects for special education and training, provided that there are ten or more of a given type in a school district. Boards may jointly maintain classes, or may supply training outside the school district. The state pays one-half of the total expenses incurred, provided that the classes and the qualifications of the teachers have been approved by the State Board of Education.

The compulsory attendance age is 8-16.

Utah, since 1921, requires the establishment of special classes in cities of the first class. Children between the ages of eight and eighteen shall be required to attend these classes, and, with the consent of the parent or guardian, be transferred to these classes from outside districts. The compulsory attendance age is 8-18.

Connecticut, since 1921, requires the enumeration and reporting of all educationally exceptional children. School committees may provide special classes for this type when there are ten or more in any one district; or two districts may combine to provide such classes and instruction. Children in this state must attend school between the ages of 7-16.

Since 1919, Wyoming requires the State Board of Education to make special provisions for various types of handicapped children when no adequate provisions have been made in the public schools. A special bureau has been established to superintend the work. The school attendance age is 7-16.

Minnesota, in 1915, placed the control of classes for defectives on the state. State aid of \$100. is paid for each defective child enrolled in these classes. Teachers'

The compulsory attendance age is 7-15.

Utah, since 1931, requires the establishment of special classes in cities of the first class. Children between the ages of eight and fifteen shall be required to attend these classes, and, with the consent of the parent or guardian, be transferred to these classes from outside districts. The compulsory attendance age is 7-15.

Connecticut, since 1931, requires the enumeration and reporting of all constitutionally exceptional children. School committees may provide special classes for this type when there are ten or more in any one district or two districts may combine to provide such classes and instruction. Children in this state must attend school between the ages of 7-15.

Since 1919, Wyoming requires the State Board of Education to make special provisions for various types of handicapped children when no adequate provisions have been made in the public schools. A special bureau has been established to superintend the work. The compulsory attendance age is 7-15.

Minnesota, in 1919, placed the control of classes for defective on the state. State aid of \$100. is paid for each defective child enrolled in these classes. Teachers

qualifications and appointments must be approved by the state superintendent of education. There must be at least five defective children in each district before a class can be established. The attendance age is 8-16.

California, in 1921, enacted a permissive act applicable to pupils who would profit from specialized instruction. All books and materials are free. Children between the ages of 8-16 must attend school.

The Oregon Laws of 1923 give authority and power to boards of education to establish and maintain such special schools and classes of instruction as they deem necessary for the proper instruction of educationally exceptional children. The boards also have the power to require the attendance of such children between the ages of six and seventeen at such school, although the children may live outside the district in which the school is located.

By the enactment of a bill drawn in 1919, Missouri made permissive the establishment of public school classes for the blind, deaf, and feebleminded, when there are ten or more of each type in a school district; authorized adjoining districts to support classes, jointly; and provided state aid to the amount of \$750. a year for each teacher especially trained and giving her whole time to the work.

qualifications and appointments must be approved by the state superintendent of education. There must be at least five defective children in each district before a class can be established. The attendance age is 5-18.

California, in 1911, enacted a permissive act applying to pupils who would profit from specialized instruction. All books and materials are free. Children between the ages of 5-18 must attend school.

The Oregon Laws of 1921 give authority and power to boards of education to establish and maintain such special schools and classes of instruction as they deem necessary for the proper instruction of educationally exceptional children. The boards also have the power to regulate the attendance of such children between the ages of six and seventeen at such school, although the children may five outside the district in which the school is located.

By the enactment of a bill drawn in 1919, Wisconsin made permissive the establishment of public school classes for the blind, deaf, and feeble-minded, when there are ten or more of each type in a school district; authorized the training districts to support classes, furnish and provide seats and to the amount of \$750. a year for each teacher especially trained and giving her whole time to the work.

This amount cannot exceed two-thirds of the salary paid to the teacher by the local board. The compulsory attendance age is 7-16.

The Illinois School Laws of 1921 and 1923 required the enumeration of children who are especially handicapped from the medical, psychological, and physical standpoints. They must attend school from the ages of 7 to 16, for at least nine months in the year.

The School Laws of Louisiana of 1921 provide for the organization of classes for defective children of all types, whose needs cannot be met and cared for in the regular public school classes. Children between the ages of 7 and 14 must attend school.

Wisconsin authorized state aid for the education of defective children in 1917, provided that the teacher possesses the necessary qualifications and the class complies with such requirements as may be outlined by the state superintendent of public instruction. The sum offered by the state is equal to one-third the amount expended for salaries, provided that the sum does not exceed \$300. a year for each teacher.

Chapter Three

COMPILATION OF COMPULSORY SCHOOL LAWS OF VARIOUS STATES
RELATING TO SPECIAL SCHOOLS AND CLASSES

ALABAMA

"Sec. 1. The school committee or board in every town of not less than 6,000 population, according to the last or any succeeding Federal census, shall annually ascertain, under regulations prescribed by the State Department and Superintendent of Education in cooperation with the State Department of Health, the number of children three years or more retarded in mental development in attendance upon its public schools, or of school age and resident therein. At the beginning of each school year, the school committee or board of every town of 6,000 population, according to the last or any succeeding Federal census, where there are ten or more such children, shall establish special classes for their instruction according to their mental attainments, under regulations prescribed by the State Department and Superintendent of Education."

"Sec. 2. It shall be the duty of the State Department and the State Superintendent of Education in cooperation with the State Health Department to set the regulations required herein and to provide the necessary blanks and forms, and to instruct the superintendents and school authorities

in the several terms affected in the proper method of carrying out the provisions of the Act."

(Alabama Session Laws, 1927, Act #498)

CALIFORNIA

"Sec. 1662, Sixth. The board of education of any school district, upon recommendation of the city superintendent of schools, or the board of trustees of any elementary school district, upon recommendation of the city superintendent of schools, may establish and maintain one or more separate classes for pupils who would profit more from a course other than the regular course of study prescribed for the elementary schools, and may substitute for the regular course of study other types of school work or study approved by the superintendent of schools as being better adapted to the mental needs of the pupils enrolled. Pupils enrolled in such classes shall be required to use the state series of text-books only in so far as such text-books may be adapted to the work of such classes, but all text-books and materials required in such classes shall be furnished free."

(Codes and General Laws, California, 1925-1927, p. 423)

CONNECTICUT

"Sec. 1. The State Board of Education shall appoint

in the several terms allotted in the proper method of care-

giving out the provisions of the Act.

(Alabama Session Laws, 1907, Vol. 100)

CALIFORNIA

"Sec. 100. The board of education of any

school district, upon recommendation of the city superin-

endent of schools, or the board of trustees of any school-

district, may recommend to the city super-

intendent of schools, any school, and within one or more

separate classes for pupils who would profit therefrom a

course other than the regular course of study prescribed

for the elementary schools, and may substitute for the

regular course of study other forms of study and a school

approved by the superintendent of schools as being better

adapted to the mental needs of the pupils therein. The

board may also cause to be made a special study of the

educational needs of the pupils in the school district

and may cause to be made a special study of the

educational needs of the pupils in the school district

and may cause to be made a special study of the

(California Session Laws, 1907, Vol. 100)

CONTENTS

"Sec. 1. The State Board of Education shall appoint

a director of education and standards and shall make regulations to carry out the purpose of this act."

"Sec. 2. The term educationally exceptional children shall include all children over four and under sixteen years of age, who, because of mental or physical handicap, are incapable of receiving proper benefit from ordinary instruction and who, for their own or the social welfare, need special educational provisions. Said board shall make regulations requiring enumeration and reporting of all educationally exceptional children. In accordance with regulations approved by said state board, every board of school visitors, town school committee or board of education shall periodically ascertain what pupils, if any, on the school register are chronically below the minimum standards of weight normal for their age and height. The parents or guardians of each such child shall be notified and given advice with respect to measures to ameliorate or remove the physical handicap. The board of education shall prescribe forms for reports required by any court on the educational status of school children, summarizing the child's school career and indicating his capacity to profit by experience and instruction. Said board shall supervise the educational interests of all children over four and under sixteen years of age who are residing in or attending any child-caring in-

a director of education and standards and shall make reg-
ulations to carry out the purpose of this act.
Sec. 2. The term educationally exceptional child
shall include all children over four and under six
years of age, who, because of mental or physical im-
pairs, are incapable of receiving proper benefit from
any instruction and who, in their own or the school
system, need special educational provisions. Said child
shall have regulations regarding enrollment and trans-
fer of all educationally exceptional children. In con-
sultation with regulations approved by said state board, the
any board of school districts, town school committee or
board of education shall periodically ascertain the
age, sex, or the school register are otherwise re-
corded in the minimum standards of weight and height and
height. The parents or guardian of each child shall
shall be notified and given advice with respect to men-
tal or physical condition or other physical condition. The
board of education shall prescribe forms for reports re-
ferred to and comply with the educational needs of school
children, recommending the child's mental, physical and in-
tellectual development as far as possible by observation and testing.
This board shall supervise and control all
of all children over four and under six years of
age who are residing in or attending any public school in

stitution receiving moneys from the state treasury. No educationally exceptional child shall be deprived of school privileges except with the express approval of the secretary of the state board of education, and every child so excluded shall be brought immediately to the attention of the proper authorities to insure adequate protection and training for the child."

"Sec. 3. Any board of school visitors, town school committee or board of education may provide special instruction for educationally exceptional children. Two or more school districts may combine to provide such instruction. Upon the petition approved by the state board of education, of parents or guardians of ten or more educationally exceptional children residing in any school district, the board of school visitors, town school committee or board of education shall establish a school for said educationally exceptional children or shall provide instruction in some way."

(Connecticut, Public Acts, 1921, Ch. 55)

ILLINOIS

"Sec. 136. The board of education shall exercise general supervision and management of the public education and the public school system of the city (10,000 population) and shall have power to make suitable pro-

attention receiving money from the state treasury. No
 educationally exceptional child shall be deprived of
 school privileges except with the express approval of
 the majority of the state board of education, and every
 child so excluded shall be brought immediately to the at-
 tention of the proper authorities for their separate pro-
 tection and training for the child."

"Sec. 5. Any board of school visitors, town school
 committee or board of education may provide special in-
 struction for educationally exceptional children. Two
 or more school districts may combine to provide such in-
 struction. When the petition approved by the state board
 of education, or parents or guardians of ten or more ed-
 ucationally exceptional children residing in any school
 district, the board of school visitors, town school com-
 mittee or board of education shall establish a school for
 said educationally exceptional children or shall provide
 instruction in any way."

(Connecticut, Public Acts, 1921, Ch. 25)

ILLINOIS

"Sec. 10. The board of education shall exercise
 general supervision and management of the public educa-
 tion and the public school system of the city (10,000
 population) and shall have power to make suitable pro-

vision for the establishment and maintenance throughout the year, or for such portion of the year as it may direct, not less than nine months in time, of schools of all grades and kinds, including normal schools, high schools, night schools, schools for defectives and delinquents, parental or truant schools, schools for the blind, the deaf, and the cripples, schools or classes in manual training, constructural and vocational training, domestic arts and physical culture, vacation and extension schools and lecture courses, and all educational courses and facilities, including playground maintenance."

(Illinois Revised Statutes, 1927, Ch. 122, Sec. 136)

LOUISIANA

"Sec. 1. Be it enacted by the Legislature of Louisiana, that the parish school boards shall have authority to organize and maintain special classes or schools for the benefit of the mentally, morally, or physically deficient children whose needs cannot be properly cared for in regular public schools."

(Louisiana Session Laws, 1920, Act #74)

MASSACHUSETTS

"Sec. 46. The school committee of every town shall annually ascertain, under regulations prescribed by the

vision for the establishment and maintenance throughout the year, or for such portion of the year as it may desire, not less than nine months in time, of schools of all grades and kinds, including normal schools, high schools, night schools, schools for defective and blind, the deaf, and the crippled, schools of classes in mental training, constitutional and vocational training, domestic arts and physical culture, vocational and extension schools and lecture courses, and all educational centers and facilities, including playground maintenance. (Illinois Revised Statutes, 1907, ch. 121, sec. 100)

MINIMUM

"Sec. 1. As it enacted by the Legislature of 1907, it is the policy of the State to maintain and improve the public school system, to organize and maintain special classes or schools for the benefit of the mentally, physically, or socially deficient children whose needs cannot be properly cared for in regular public schools." (Illinois Revision Laws, 1907, ch. 100)

RECOMMENDATIONS

"Sec. 40. The school committee of every town shall annually ascertain, upon regulations prescribed by the

department and the commissioner of mental diseases, the number of children three years or more retarded in mental development in attendance upon its public schools, or of school age and resident therein. At the beginning of each school year, the committee of every town where there are ten or more such children shall establish special classes for their instruction according to their mental attainments, under regulations prescribed by the department. No child under the control of the department of public welfare or of the child welfare division of the institutions department of the city of Boston who is three years or more retarded in mental development within the meaning of this section, shall after complaint made by the school committee to the department of public welfare or said division, be placed in a town which is not required to maintain a special class as provided for in this section."

(General Laws of Massachusetts, Ch. 71, as amended
by Statutes, 1922, Ch. 231)

"Regulations:

1. The school committee shall require the examination of all children of school age residing in the town who appear to be three or more years retarded in mental development. The examination shall be given by the State Department of Mental Diseases or an examiner approved by that department."

department and the commissioner of mental diseases, the number of children three years or more retarded in mental development is attendance upon the public schools, or of school age and resident therein. At the beginning of each school year, the committee of every town where there are ten or more such children shall establish

special classes for their instruction according to their mental attainments, under regulations prescribed by the department. No child under the control of the department of public welfare or of the child welfare division of the institution department of the city of Boston who is three years or more retarded in mental development shall attend the meeting of this section, shall after complaint made by the school committee to the department of public welfare or said division, be placed in a town where he has failed to maintain a special class as provided for in this section."

(General Laws of Massachusetts, ch. 127, as amended by chapter 102A, § 20A.)

Regulations.

1. The school committee shall report the examination of all children of school age residing in the town who appear to be three or more years retarded in mental development. The examination shall be given by the State Department of Mental Diseases or an examiner approved by that department.

"2. All children of school age found to be three or more years mentally retarded, by examination as herein provided, shall be assigned to a special class unless instruction approved by the Department of Education is provided. No child shall be placed in a special class unless the examination shows him to be three or more years retarded in mental development."

"3. A re-examination of all special class pupils shall be made by the examiner at least every two years. Unusual cases shall be examined yearly."

"4. The school committee shall require the attendance of all pupils assigned to special classes."

"5. The registration at any one time in a class shall not exceed eighteen pupils."

"6. Only those children whose mental age is such that they can profit by instruction in a special class and whose presence is not detrimental to other members of the class shall be admitted. (Such children should be recommended for institutional training)."

"7. At least two hours per day of some sort of handwork, such as is suggested in the state course of study shall be given to all pupils."

"8. Teachers of special classes shall have

"1. All children of school age found to be below the average mentally retarded, by examination as herein provided, shall be assigned to a special class unless otherwise instructed or approved by the Department of Education is provided. No child shall be placed in a special class unless the examination shows him to be three or more years retarded in mental development."

"2. A re-examination of all special class pupils shall be made by the examiner at least every two years. Unusual cases shall be examined yearly. The school committee shall report the percentage of all pupils assigned to special classes."

"3. The regulation at any one time in a class shall not exceed fifteen pupils."

"4. Only those children whose mental age is such that they can benefit by instruction in a special class and whose presence is not detrimental to other members of the class shall be admitted. When children should be recommended for instruction."

"5. At least two hours per day of some sort of instruction, such as is suggested in the course of study shall be given to all pupils. Teachers of special classes shall have

access to records of examination, which shall be held by them as strictly confidential."

(Regulations to Ch. 71, Sec. 46, General Laws, August, 1927)

"Amendment to 'Regulations':

The 'Regulations' as established in August, 1927, are hereby amended by adding at the end of the second paragraph the following:--

'Except such cases as are approved by the Department'."

(Approved, May 17, 1928)

MINNESOTA

"Sec. 2897. Section (1) of this act shall, so far as applicable, provide for and apply to schools for mentally subnormal children, except that these schools shall be under the control of the state superintendent of education and that there shall be paid out of the current school fund in the state treasury annually in the month of July to the treasurer of the school districts maintaining a school or schools for mental subnormal children under the charge of one or more teachers whose appointments and qualifications shall be approved by the state superintendent of education, the sum of one hundred (100) dollars for each mental subnormal child instructed in such school

access to records of examination, which shall be
held by them as strictly confidential."

(Regulations to Sec. 71, Sec. 45, General Laws,
August, 1937)

"Amendment to 'Regulations':"

The 'Regulations' as established in 1937

Amal, 1937, are hereby amended by adding at the

end of the second paragraph the following:--

"except such cases as are

proved by the Department."

(Approved, May 17, 1938)

MINUTES

"Sec. 39B, Section (1) of this act shall, as far as

applicable, provide for and apply to schools for mentally

subnormal children, except that these schools shall be un-

der the control of the state department of education

and that there shall be paid out of the current school

fund in the state treasury annually in the month of July

to the treasurer of the school district a sum

equal to the amount of the school district's contribution to the

expense of the or more children whose expenditures and

qualifications shall be approved by the state department

of education, and may be one hundred (100) dollars

for each child approved. This included in each school

or schools having an annual session of at least nine months during the year next preceding the first day of July."

"Sec. 2898. Permission to establish such special classes as may come under the provisions of this section may be granted to districts which have an actual attendance of not less than five children of school age."

(Minnesota Statutes, 1927, Vol. 1, p. 694)

MISSOURI

"Sec. 11147. Whenever in any school district there shall be found ten or more children who are blind or who are deaf, or who are crippled, but able to be moved about, or who are feeble-minded and yet capable of instruction, the board of education or board of directors of the district may provide appropriate instruction in a special class for such groups of ten or more of each class of defectives, and shall provide transportation to and from school for such children as could not otherwise attend. Instruction, which is adapted to the varying physical and mental capacities and handicaps of the children, must be provided in these classes under the regulations of the state department of education. Provided, that the instruction given in all such special classes shall be limited to the elementary school grades. It shall be the duty of the board of education or boards of directors in each school

or persons having an annual valuation of at least nine hundred dollars, the first day of July. The board of education is authorized to establish such special districts as may come under the provisions of this section and to grant to districts which have an annual valuation of not less than five hundred dollars of school land. (Minnesota Statutes, 1927, Vol. 1, p. 104)

MISCELLANEOUS

Sec. 1115. Whenever in any school district there shall be found ten or more children who are blind or who are deaf, or who are crippled, lame or feeble-minded, the board of education is authorized to establish in a special district for each group of ten or more of such children a separate, and shall provide transportation to and from school for each child as soon as possible after the birth of such child, which is adapted to the varying physical and mental capabilities and handicaps of the children, and be provided in these classes under the regulations of the state department of education. Provided, that the district also given in all such special classes shall be listed as the elementary school grades. It shall be the duty of the board of education to provide of district between school

district to ascertain annually the number of children in a district who belong to any of the above types."

(Missouri Revised Statutes, Supp. 1927, pp. 668-669)

"Sec. 11148. Where two or more school districts each have less than ten children in any one of the classes of defectives provided for in Section 11147, the boards of education or boards of directors of such school districts may contract with each other for the establishment of special classes for the education of such children in one or the other of said districts, provided that the pupils cannot be accommodated in the appropriate state institutions established for their training."

(Missouri Revised Statutes, 1919, Vol. 3, p. 3494)

"Sec. 11149. The state superintendent of public schools is hereby authorized to inspect and approve all special classes established under the provisions of Sections 11147 and 11148. Each school district maintaining special classes as provided for in the aforesaid sections, shall, when these classes have been approved by the state superintendent of public schools, receive state aid to the amount of seven hundred fifty dollars (\$750) per annum for each teacher employed wholly in the instruction of the aforesaid class; provided, however, such aid shall not be granted for any teacher who has not been especially trained for work in such classes; and provided further, that the

eligible to participate annually the number of children is

a district who belong to any of the above types.

(1) District Revised Statutes, 1907, § 155-270

"Sec. 155. Where two or more school districts

and have been thus combined in any one of the classes

of districts provided for in section 155, the board of

education or boards of education of such school districts

may contract with each other for the maintenance of

special classes for the education of such children in one

or the other of said districts, provided that the pupils

cannot be accommodated in the appropriate school building

rooms established for their training.

(2) District Revised Statutes, 1907, Vol. 2, p. 260

"Sec. 155. The state superintendent of public

schools is hereby authorized to inspect and approve all

special classes established under the provisions of sec-

tions 155 and 156. Each school district maintaining

special classes as provided for in the aforesaid sections,

shall, when these classes have been approved by the state

superintendent of public schools, receive thereof the

sum of one hundred fifty dollars (\$150) per annum

for each teacher employed within the district in the

special classes provided. However, when the school district

cannot for any teacher who has not been specially trained

for work in such classes, and provided further, that the

amount of special training shall be in accordance with the rules and regulations established by the state superintendent of public schools, the amount of state aid granted on account of any teacher shall in no case exceed two-thirds of the salary paid such teacher by the local board. The state superintendent shall require such reports as he may desire from each of these special classes. In August of each year, before apportioning the state school funds in accordance with Section 11179, the state superintendent of public schools shall set aside a sum equal to the total of all the state aid to which the various school districts of the state are entitled under the provisions of this section for the preceding fiscal year. The superintendent shall cause the state treasurer to forward to the county clerk of each county, and to the secretary of the board of education of the city of St. Louis, the total amount shown to be due such county or such city under the provisions of this section."

(Missouri Revised Statutes, Supp. 1927, pp. 668-669)

"Sec. 11150. The state board of charities and corrections is hereby authorized where no special classes have been provided, or instructions arranged for as provided in Sections 11147, 11148, 11149 of this act, and where proper home instruction is not given as provided in Section 111324, to take charge of and provide for the

proper training of the feeble-minded, deaf, blind, and crippled children under the age of sixteen years who have not attained the eighth grade in school. Where, in order to secure such training, it is necessary to incur expense for transportation, education or maintenance of such child, and where the state board of charities and corrections ascertains upon investigation, that the parent or guardian, or other person in charge of such child, is unable to bear such expense, the state board of charities and corrections is hereby authorized to incur such expense for such child and to charge the same to the county in which it resides. It shall be the duty of the county superintendent of schools in the city of St. Louis, to report to the state board of charities and corrections, all children within their counties and the city of St. Louis who come within the provisions of this section."

"Sec. 11150b. School districts may establish special classes for twenty or more children, who, while not feeble-minded, are on the borderline of mental deficiency or are so backward in intelligence as to be incapable of receiving proper benefit from the instruction in the regular grades, and shall receive state aid to the amount of three hundred dollars (\$300) per annum for each teacher employed wholly in the instruction of such pupils, provided the teachers have been especially trained for the

proper training of the teachers, test, fitness, and
experienced children under the age of sixteen years who
have not attained the eighth grade in school. Where, in
order to secure such training, it is necessary to incur
expenses for transportation, education or maintenance of
such child, and where the state board of charities and
corrections ascertains that in violation, that the par-
ent or guardian, or other person in charge of such child,
is unable to bear such expenses, the state board of char-
ities and corrections is hereby authorized to incur such
expenses for such child and to charge the same to the
county in which it resides. It shall be the duty of the
county superintendent of schools in the city of St. Louis
to report to the state board of charities and corrections,
all children within their counties and the city of St.
Louis who come within the provisions of this section.
Sec. 11100. - School districts may establish spe-
cial classes for reading or some subject, and, while not
recommended, may do the ordering of books and supplies
or act as fund-raiser in intelligence as to be included in
receiving proper benefit from the instruction in the reg-
ular grades, and shall receive state aid to the amount
of three hundred dollars (\$300) per annum for each term
or employed wholly in the instruction of such pupils,
provided the teachers have been specially trained for the

work and the classes approved in accordance with Section 11149."

(Missouri Revised Statutes, Supp. 1927, pp. 669-670)

NEW JERSEY

"Sec. 191, (1) Each board of education in this state shall ascertain what children, if any, there are in the public schools who are three years or more below normal. In each school district in this state in which there are ten or more children three years or more below normal, the board of education thereof shall establish a special class or classes for their instruction, no class, however, to contain more than fifteen children."

(New Jersey Public Laws, 1921, Ch. 239, Sec. 191)

"Sec. 182, (a) The said county superintendent of schools shall, on or before the first day of April in each year, apportion to the several school districts of said county the state school moneys, and the interest of the surplus revenue in the following manner:

(b) The sum of \$500. for each teacher employed in a special class for the instruction of blind or deaf children or for children who are three years or more below the normal."

(New Jersey Laws of 1923, Ch. 70, Sec. 182)

work and the classes approved in accordance with the plan
11143.

(Missouri Revised Statutes, Chap. 122, Sec. 122.1-122.10)

ART. XXV

"Sec. 121. (1) The board of education in this state
shall determine what children, if any, there are in the
public schools who are three years of age before school
in each school district in this state in which there are
ten or more children three years of age before school, the
board of education shall establish a special class
or classes for their instruction, as class, however, as
desired by the board of education."

(New Jersey Public Laws, 1921, Ch. 229, Sec. 12)

"Sec. 12. (a) The said board, upon recommendation of
the school board, may before the first day of April in each
year, appropriate to the several school districts of said
county the state school moneys, and the interest of the
moneys received in the following manner:

(b) The sum of \$500. for each school

employed in a special class for the instruction of blind
or deaf children or for children who are three years of
age before school."

(New Jersey Laws of 1913, Ch. 75, Sec. 12)

NEW YORK

"Sec. 578, (1) The board of education of each city and of each union free school district, and the board of trustees of each school district shall, within one year from the time this act becomes effective, ascertain, under regulations prescribed by the commissioner of education approved by the regents of the university, the number of children in attendance upon the public schools under its supervision who are three years or more retarded in mental development.

(2) The board of education of each city and of each union free school district in which there are ten or more children three years or more retarded in mental development, shall establish such special classes of not more than fifteen, as may be necessary to provide instruction adapted to the mental attainments of such children.

(3) The board of education of each city and of each union free school district, and the board of trustees of each school district which contains less than ten such children may contract with the board of education of another city or school district for the education of such children in special classes organized in the schools of the city or district with which such contract

NEW YORK

Sec. 272. (1) The board of education of each city and of each union free school district, and the board of trustees of each school district shall, within one year from the time this act becomes effective, ascertain the regulations prescribed by the commission of education approved by the regents of the university, the manner of collecting the attendance upon the public schools under the act, and the manner of reporting the same to the board of education.

(2) The board of education of each city and of each union free school district in which there are ten or more children three years of age or over shall, within one year from the time this act becomes effective, ascertain the regulations prescribed by the commission of education approved by the regents of the university, the manner of collecting the attendance upon the public schools under the act, and the manner of reporting the same to the board of education.

(3) The board of education of each city and of each union free school district, and the board of trustees of each school district which contains less than ten or more children three years of age or over shall, within one year from the time this act becomes effective, ascertain the regulations prescribed by the commission of education approved by the regents of the university, the manner of collecting the attendance upon the public schools under the act, and the manner of reporting the same to the board of education.

is made."

"Sec. 2. This act shall take effect immediately."

(New York Laws of 1917, Vol. 2, Ch. 553, pp. 1594-1595)

"Sec. 579-a. If the board of education of a city or a union free school district establishes one or more special classes for the instruction of children who are three or more years retarded in mental development, as provided in this article, and shall employ one or more teachers for the instruction thereof, the commissioner of education shall apportion to such city or district, in the same manner as teachers' quotas are apportioned thereto, an amount equal to one-half the salary paid to each of such teachers, but not to exceed one thousand dollars for each teacher so employed. No such apportionment shall be made on account of a teacher so employed unless there shall have been issued to such teacher by the commissioner of education a certificate authorizing such teacher to teach special classes or unless such teacher shall possess the qualifications prescribed by the commissioner of education."

"Sec. 2. This act shall take effect immediately."

(New York Laws, 1923, Ch. 395, pp. 633-634)

OREGON

"Sec. 384, (1) In every school district in the state now having a general population of 10,000 inhabitants, or

is made.

Sec. 2. This act shall take effect immediately.

(New York Laws, 1917, Vol. 2, pp. 1379-1380)

Sec. 3. The board of education of a city or

county shall have authority to establish one or more

special classes for the instruction of children who are

of any grade referred to in this act, and to provide

in this act, and shall employ one or more teachers for

the instruction thereof, and shall pay the salaries

shall appropriate to such city or district, in the same manner

as the teachers' salaries are appropriated therein, and shall

pay to each teacher of such class the salary of such teacher,

and not to exceed the amount of the salary of such teacher as

employed. No such appropriation shall be made on account

of a teacher as employed unless there shall have been an

act to such teacher by the board of education or

certificates authorizing such teacher to teach special classes

and no such teacher shall receive the qualifications

prescribed by the board of education.

Sec. 4. This act shall take effect immediately.

(New York Laws, 1917, Vol. 2, pp. 1381-1382)

ARTICLE

Sec. 1. (1) In every school district in this state

there shall be a general examination of all the children, of

which at any time hereafter shall attain 10,000 inhabitants, the boards of directors may establish a department of research and guidance in the public schools of such district.

(2) The boards of directors may place such department, when established under the supervision and control of a person of such training, experience, and capacity as shall fit him to conduct the work of said department properly and efficiently. Said person shall be known and designated as the Director of the Department of Research and Guidance, and shall perform his duties under the general control and supervision of the superintendent of schools of the district. The board of directors shall have the same powers with respect to his appointment and removal and the fixing of his salary as in the case of the city superintendent of schools and his assistants.

(3) The term educationally exceptional children shall include any child between the ages of 6 and 17 years, both inclusive, who is not receiving proper benefits from the ordinary instruction in the public schools, either because of exceptionally keen mental qualities, or because of mental or physical handicap which incapacitates such child from pursuing the studies scheduled in the classes to which such child would ordinarily belong.

(4) The director of the department of research and guidance shall investigate and ascertain the outstanding

where at any time thereafter shall obtain 10,000 pounds sterling, the Board of Directors may establish a department of research and guidance in the public schools of each district. (2) The Board of Directors may place such department, when established under the supervision and control of a person of such training, experience, and capacity as shall fit him to conduct the work of said department properly and effectively. This person shall be known and designated as the Director of the Department of Research and Guidance, and shall perform his duties under the general control and supervision of the Superintendent of Schools of the District. The Board of Directors shall have the same power of his removal as his appointment, and may also, at his request, or in the case of the city Superintendent of Schools and his assistants.

(3) The Board of Directors may, at any time, cause to be made any child between the ages of 7 and 17 years, who is not receiving proper benefit from the ordinary instruction in the public schools, either because of exceptional mental condition, or because of mental or physical handicap which incapacitates him from receiving the benefits afforded in the district to which such child would ordinarily belong.

(4) The Director of the Department of Research and Guidance shall investigate and ascertain the outstanding

capacities, abilities, and talents of the children in the public schools of the district, and shall assist in the development and operation of educational methods and equipment which shall conserve and develop these capacities, abilities, and talents to their fullest extent; and to this end shall have the aid and cooperation of the attendance department of the district.

(5) The director of the department of research and guidance shall make an enumeration of all educationally exceptional children, and shall report to the city superintendent of schools his findings and determination as to what, if any, special instruction each of said children may require to insure the fullest educational development within the capacity of each child; he shall determine what, if any, special courses, classes or instruction are required for the education of the children enumerated, and shall make his recommendation to the city superintendent of schools for the establishment of special classes and special schools which he deems necessary.

(6) The board of directors of any such district is hereby authorized and empowered to establish and maintain such special schools, courses, or instruction as they may deem necessary for the proper instruction and education of educationally exceptional children, as defined in this act,

agencies, facilities, and services of the children in the
 public schools of the district, and shall assist in the de-
 velopment and operation of educational methods and equip-
 ment which shall conserve and develop these facilities,
 facilities, and talents to their fullest extent; and shall
 and shall have the aid and cooperation of the attendance
 department of the district.

(d) The director of the department of research and
 guidance shall make a determination of all educational re-
 search facilities, and shall report to the city superinten-
 dent of schools his findings and recommendations as to the
 use of such facilities and equipment and shall report
 to the city superintendent of schools his findings and
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 superintendent of schools his findings and recommendations as
 to the use of such facilities and equipment, and shall report
 to the city superintendent of schools his findings and recom-
 mendations as to the use of such facilities and equipment,
 which he deems necessary.

(e) The board of directors of any such district is
 hereby authorized and empowered to establish and maintain
 such special schools, courses, or instruction as may be
 deemed necessary for the proper instruction and education of
 educationally exceptional children, as defined in this act,

and said board is hereby authorized and empowered to require the attendance of such children at such schools, courses or instruction as may be established hereunder, although said schools, courses or instruction may be located outside of the subdistrict wherein such child or children may reside.

(7) Any child may be relieved from physical examination required or recommended by the department of research and guidance upon a written application of parents to the head of the department, stating the reason for such request; provided, that this section shall not be construed in any way to interfere with the requirements of state or local boards of health.

(8) This act shall have no application to children assigned by proper authority to state schools or state institutions for defective or delinquent children."

(Oregon Laws of 1923, Ch. 28, Sec. 384)

PENNSYLVANIA

"Sec. 401. The board of school directors in every school district in this Commonwealth shall establish, equip, furnish, and maintain a sufficient number of elementary public schools, in compliance with the provisions of this act, to educate every person, residing in such district between the ages of 6 and 21 years, who may attend; and may

and said board is hereby authorized and empowered to require the attendance of such children at such schools, colleges or institutions as may be established hereafter, although said schools, colleges or institutions may be located outside of the jurisdiction wherein such child or children may reside.

(7) Any child may be relieved from physical examination required or recommended by the department at the request and guidance upon a written application of parent or guardian to the head of the department, stating the reasons for such request; provided, that the request shall not be considered in any way to interfere with the requirements of state or local boards of health.

(8) This act shall have no application to children assigned by proper authority to state schools or state institutions for defective or delinquent children."

(Revised Laws of 1905, Ch. 28, Sec. 20a)

PROVISIONS

"Sec. 401. The board of school directors in every school district in the Commonwealth shall establish, support, and maintain a sufficient number of elementary public schools, in compliance with the provisions of this act, to educate every person, residing in such district, between the ages of 6 and 21 years, who are attending any

establish, equip, furnish, and maintain the following additional schools or departments for the education and recreation of persons residing in said district which said additional schools or departments, when established, shall be an integral part of the public school system in such school district, and shall be so administered, namely:

Schools for the blind, deaf, and mentally deficient."

(Penn. Laws, 1921, Act #391, Sec. 401, p. 1066)

"Sec. 1413. It shall be the duty of the secretary of the school board, teachers, school enumerators and attendance officers, in every school district in this Commonwealth, in accordance with the rules of procedure prescribed by the Superintendent of Public Instruction, to secure information and report to the medical inspector of the school district and to the school district or county superintendent of schools, on or before the fifteenth day of October of each year, every child within said district, between the ages of 8 and 18 years, who is gravely retarded in his or her school work, or any child between the ages of 6 and 16 who, because of apparent physical or mental condition, is not being properly educated and trained, and as soon thereafter as possible, the medical examiner shall examine such child, in accordance with rules of procedure prescribed by the Secretary of Health, and report whether such child is fit subject for special education and training. In school dis-

districts of the first, second, and third class, having a district superintendent of schools, said report shall be made to the superintendent of the district. In all other districts, the report shall be made to the Secretary of Health and by him reported to the superintendent of schools of the county.

Pupils may also be designated as candidates for special education by mental clinics approved by the Council of Education, or by a psychologist or a psychological examiner who has been certified by the Superintendent of Public Instruction and is employed by any school district.

The county or district superintendent of schools shall submit to the board or boards of school directors plans for establishing and maintaining special classes in the public schools or special public schools for the proper education and training of all such children reported to him as fit subjects for special education and training, and it shall be the duty of the board of directors of any district having such children to provide and maintain, or jointly provide and maintain, with neighboring districts, such special classes or schools: Provided, however, that it is not feasible to form a special class with a minimum attendance of ten children in any district, or if for any other reason it is not feasible to provide such education

...of the time, second, and third class, and a third
 subject representative of each class, and report shall be made
 by the representative of the district. In all other cases
 the report shall be made to the Secretary of the
 Board by the representative of the district of schools in
 the county.

It may also be designated as a committee for the
 order suggested by mental classification of the Council
 of Education, or as a psychologist or a psychologist ex-
 aminer. The person entitled to the designation in the
 the institution and is employed by the school district.
 The county or district representative of schools shall

submit to the Board or Bureau of School Affairs plans
 for maintaining and maintaining special classes in the
 public schools or special public schools for the proper
 location and training of all such children reported to
 him as fit subjects for special education and training,
 and it shall be the duty of the Board of Directors of any
 district having such children to provide and maintain, or
 jointly provide and maintain, with neighboring districts,
 such special classes or schools; provided, however, that
 it is not feasible to form a special class with a minimum
 attendance of ten children in any district, or if for any
 other reason it is not feasible to provide such classes in

for any such child in the public schools of this district, the board of school directors of that district shall, unless approved provision for the education of such child is made by the parents or guardian, secure such proper education and training outside the public schools of the district, or in special institutions, or by providing for teaching the child in his home by a legally certified teacher, on terms and conditions not inconsistent with the terms of this act or of any other act then in force applicable to such children.

School districts maintaining special classes in the public schools or special public schools or providing special education, as hereinbefore specified in this section, shall receive reimbursements, as provided by law, so long as such classes, such schools, and such special education are approved by the State Council of Education as to location, constitution and size of classes, conditions of admission and discharge of pupils, equipment, courses of study, methods of instruction, and qualifications of teachers.

The State Superintendent of Public Instruction shall superintend the organization of such special classes and such other arrangements for special education, and shall force the provision of this act.

for any such child in the public schools of this district,
the board of school directors is that district shall, un-
less otherwise provided for the education of such child
is made by the parents or guardian, secure such proper
education and training for the child within the limits of the dis-
trict, or in special institutions, or by providing for
teaching the child in his home by a legally certified teach-
er, or other person qualified and competent to do so, and
if this act or any other act shall in any way interfere
with such education.

Section 10. The board of directors shall have the right
to cause to be established in any district a special school
for the education of children who are afflicted with any
physical defect, or who are otherwise afflicted in any manner,
and shall have the right to cause to be established in any
district a special school for the education of children who are
afflicted with any mental defect, or who are otherwise afflicted
in any manner, and shall have the right to cause to be estab-
lished in any district a special school for the education of
children who are afflicted with any physical defect, or who are
otherwise afflicted in any manner, and shall have the right to
cause to be established in any district a special school for the
education of children who are afflicted with any mental defect,
or who are otherwise afflicted in any manner.

The board of directors of this district shall
have the right to cause to be established in any district a
special school for the education of children who are afflicted
with any physical defect, or who are otherwise afflicted in any
manner, and shall have the right to cause to be established in
any district a special school for the education of children who
are afflicted with any mental defect, or who are otherwise
afflicted in any manner.

On or before the first day of October of each year, the secretary of the board of school directors in each district in which special education for physically or mentally handicapped children is provided, shall make such reports in regard to such special education maintained during the previous school year, and that for which approval of the State Council of Education for the current year is desired, as may be required by the Department of Public Instruction."

(Penn. State Laws, 1923, Act #46, Sec. 1413, p. 70)

UTAH

"Sec. 4721. The board of education of any city of the first class shall, or the boards of education of any other school districts, under a contract to be approved by each of such boards, may provide for the establishment and maintenance of special schools and classes and for the support and education of the children transferred to them under the provision of this chapter."

"Sec. 4722. Any child between the ages of eight and eighteen years, residing within the city or cities maintaining such special classes or schools, who, in the judgment of the board of education of such city, is not receiving care, training and education adapted to his special needs, or who has become, or is in danger of becoming a

delinquent child, within the meaning of Section 1829, 'Compiled Laws of Utah, 1917', shall, with the consent of the parent or parents, custodian or guardian of such child, be transferred to a special school or class, provided for the purpose, for a term not exceeding beyond the age of eighteen years."

"Sec. 4723. Any child transferred to, or cared for, in such special schools or classes, may be released therefrom either conditionally or absolutely in accordance with the by-laws established by the board or boards of education maintaining the same."

"Sec. 4727. Any board or boards of education maintaining a special residential school, under the provisions of Sec. 4721, shall estimate and determine, as near as may be, the average actual expense per month of keeping and taking care of boys and girls who may be transferred to such special residential school, and the average cost of keeping such boys and girls shall be wholly paid by the parent or guardian of each boy or girl transferred to the school, unless for good cause said board or boards of education shall otherwise direct. The board of education of the city in which the parent or guardian of any such transferred boy or girl resides may bring suit to enforce the provision."

"Sec. 4728. On the tender of payment which shall meet all costs of support at a special school or class, the

religion, color, within the meaning of Section 1542, of the laws of this State, shall, with the consent of the parent or guardian, be transferred to a special school or class, provided for the purpose, for a term not exceeding beyond the age of sixteen years."

"Sec. 1543. Any child transferred to, or from, any school or class, shall be received there-into either conditionally or absolutely in accordance with the by-laws established by the board or boards of education maintaining the same."

"Sec. 1544. Any board or boards of education maintain-

ing a special residential school, under the provisions of Sec. 1542, shall estimate and determine, as best it may be, the average actual expense per month of keeping and caring for each boy and girl who may be transferred to such special residential school, and the average cost of keeping each boy and girl shall be apportioned to the parent or guardian of each boy or girl transferred to the school, unless the good cause and board or boards of education shall otherwise direct. The board of education of the city in which the parent or guardian of any such transferred boy or girl resides may bring suit to enforce the provisions of Sec. 1543. In the event of payment being made, the court shall order of support at a special school or class, the

board or boards of education maintaining such special school or class, may receive into it on equal terms boys or girls whose residence is in the State outside the city or cities to which the school belongs."

"Sec. 4729. The board of education of each such city, shall appoint and affix the compensation of a school attendance officer and each other assistants as shall be deemed necessary, whose duty it shall be to aid the school board in carrying out the provisions of this chapter. The police authorities of the city shall make such attendance officer and his assistants special policemen."

"Sec. 4730. The board of education of each such city, or the board of education of any two or more such cities, may appoint and fix the compensation of a clinical psychologist and such assistants as may be deemed necessary, whose duty it shall be to aid the school board or boards in carrying out the provisions of this chapter."

(School Laws of Utah, Ch. 24, Sec. 4721, 4722, 4723,
4727, 4728, 4730)

WISCONSIN

"Sec. 41.01 (1) Upon application by the district board of any school district or the board of education of any city, the state superintendent may authorize such school district board or board of education to establish and maintain one or more day schools for the instruction of deaf

board of directors of education maintaining such special school
in cases, may receive into it on equal terms any child
whose residence is in the State outside the city or village
in which the school belongs."

"Sec. 4727. The board of education of each town city,
and village and village or corporation of a school district
shall employ and such other assistants as shall be deemed
necessary, whose duty it shall be to aid the school board
in carrying out the provisions of this chapter. The police
authorities of the city shall make such assistance efficient
and the maintenance of the school."

"Sec. 4730. The board of education of each town city,
or the board of education of any two or more town cities,
may appoint and fix the compensation of a principal, superin-
tendent and such assistants as may be deemed necessary, whose
duty it shall be to aid the school board or boards in carry-
ing out the provisions of this chapter."

School laws of Utah, ch. 24, sec. 4727, 4730,
4731, 4732, 4733.

THE STATE

"Sec. 4731 (1). The application of the district
board of any school district or the board of education of
any city, town or corporation shall not be valid until such school
district board or board of education has been established and con-
firmed by the state board of education for the instruction of youth."

children or children with defective speech, or for the instruction of blind children or children otherwise physically disabled or to establish a special class for the instruction of exceptional children of school age.

(2) The courses, qualifications of teachers and plan of organizing and maintaining such schools and classes shall comply with such requirements as may be outlined by the state superintendent of public instruction.

(3) The board of education maintaining such schools and classes, shall, through its secretary or other executive officer, report annually to the state superintendent, or oftener, if he so directs, such facts relative to such schools and classes as he may require. Such report shall include, among other things, the number of pupils instructed in each school or class or classes, their residence, and the period of time each shall have been instructed therein during the school year. The treasurer of each of said several boards shall render to the state superintendent annually an itemized statement on oath of all receipts and disbursements on account of such classes during the preceding school year.

(4) The state superintendent of public instruction shall appoint within his department persons of suitable training and experience who shall have general supervision of the classes for the instruction of the deaf,

children or children with defects of speech, at the time of
admission to the school or children otherwise physically
disabled or to children of special class for the purpose
of the hospital children of school age.

(5) The committee, consisting of teachers and
other persons, shall have the duty of visiting and maintaining
the school and shall report to the board of education as may be required.
The state superintendent of public instruction.

(6) The board of education maintaining such schools
and classes, shall, through its secretary or other committee
thereon, report annually to the state superintendent, or
otherwise, at the time of the annual report of the
schools and classes as may be required. Such reports shall
include, among other things, the number of pupils enrolled
in each school or class or classes, their progress,
and the number of time when they have been absent from school
in during the school year. The secretary of each of said
schools shall report to the state superintendent
annually in respect to the progress of all pupils and
the number of time when they have been absent from school
during the school year.

(7) The state superintendent of public instruction
shall have the duty of visiting and maintaining the schools
and classes and shall report to the board of education as may be required.
The state superintendent of public instruction.

blind, speech defective and other physically disabled children and of exceptional children of school age, who shall give special attention to examining, testing, and classifying pupils applying for admission to such special classes and perform such other duties as the state superintendent may direct.

(5) The board of any school or class shall admit, whenever the facilities for seating or instruction warrant, any child of school age who desires to enter such school or class, and who resides outside of any such city or village. If such non-resident is a resident of a school district which does not maintain a similar school or class, tuition not to exceed two dollars per week shall be chargeable to the town, city or village, of which such pupil is a resident. If such child is a resident of a district which does maintain such a school or class, said tuition shall be a charge against the parent or guardian of such pupil. Provided, such tuition shall be subtracted from the state aid allotted to any district receiving same.

(6) On or before the first day of July in each year, the clerk or secretary of the board maintaining such class or classes shall make a sworn statement to the clerk of the town, city, or village from which any child may have been admitted to such school or class setting forth the residence, name, age and date of entrance to such school

or class, and the number of month's attendance during the preceding school year of each child admitted from such city, town or village. Such statement shall further show the amount of tuition, which, under the provisions of this section the district is entitled to receive from each child reported as having been a member of the school or class from such city, town or village and the aggregate sum for tuition for all such children. Said statement shall be filed as a claim against the town, city or village where such child resides and shall be allowed as other claims are allowed."

(Laws Relating to Common Schools of Wisconsin, Ch. 41, Sec. 41.01, pp. 496-497)

WYOMING

"Sec. 2364, (1) The State of Wyoming hereby agrees to accept the provisions of the pending bill in the United States Senate designated as 'Senate 4987', to create a department of education etc., or of any bill or act which may be enacted into law by Congress relating to the subject of said bill, and hereby designates the state board of education and confers upon said state board all necessary powers to cooperate with the Department of Education of the United States in the administration of such bill or act of Congress in so far as the same relates to the aid-

ing of the states in the promotion of education.

(2) It shall be the duty of the State Board of Education to provide for the education and training and when necessary for the support and maintenance of children resident in this state who are afflicted with stuttering, stammering, defects of the organs of speech, arrested physical development or other physical defects (caused by infantile paralysis or otherwise) or who are defective in mental development and who are in consequence of such defects unfitted for attendance in the public schools, and for whose treatment, instruction and care no provision is made in the public schools or other public institutions of the state.

It shall be lawful for the State Board of Education thus to provide for such children under the age of twenty-one years, by placing them in some school or institution in this state or elsewhere as may be deemed expedient, or to provide for special classes for such children in the local schools of any city or rural district.

(3) The State Board of Education shall investigate and ascertain what children residing in the state may be suitable for the care, education and training provided for by this section, and for such purposes may secure such expert assistance and advice as it shall deem needful and

ing of the state in the promotion of education.

(1) It shall be the duty of the state board of

education to provide for the education and training and

also necessary for the support and maintenance of educa-

tional institutions in this state who are afflicted with mental

and, including, defects of the organs of speech, hearing,

physical development or other physical defects caused by

infectious diseases or injuries or any other defective con-

ditional development and who are in consequence of such de-

fects limited in attendance in the public schools, and

for whose treatment, instruction and care no provision is

made in the public schools or in any other institution

of the state.

It shall be the duty of the state board of education

also to provide for the education and training and also of training

the state, or planning, in this respect in institutions

in this state or elsewhere as may be deemed expedient,

or to provide for special classes for such children in the

local schools of any city or town in this state.

(2) The state board of education shall investigate

and ascertain what children residing in this state

are afflicted with mental and physical defects

and, for such purposes, may employ such

expert assistance and advice as it may deem necessary and

any officials or employees of the state, may be called upon by the state board to render appropriate services without other or further compensation than their actual or necessary expenses incurred in such service, or the State Board of Education may, if it deem it advisable, employ an educational or medical expert to make such tests and diagnoses as will be necessary to determine what children need such treatment.

(4) All necessary expense for investigation, clothing, subsisting and transportation of pupils, and of keeping and maintaining them in such institution or institutions, shall be paid out of funds hereby appropriated upon itemized bills, which when allowed by the state board shall be certified to by an officer of said state board: Provided, that when the state board is satisfied that the parents or guardians of such children are financially able to bear such expense in whole or in part, they shall in all cases be required to do so. The said state board shall assume the care for such children only in cases where the board of education of the school district in which such pupils reside shall approve such action."

(Wyoming, Compiled Statutes, 1920, Sec. 2364)

Extract from Sec. 176. "The district board shall have power to admit pupils from other districts and to remove pupils for disorderly conduct, or for mental or phys-

any officials or employees of the State, nor be denied
any of the State's means or funds appropriated for
the purpose of furthering a speculation than that which
is necessary to be made in order to be able to
at least of himself, if it seems to him that
any educational or medical report is made and that
any expenses he will be necessary to be made and that
there need such treatment.

(4) All necessary expenses for investigation,
including, necessary and transportation of public, and
of keeping and maintaining them in good condition
institutions, shall be paid out of the State Treasury.
Two upon finished life, when when allowed to be
event shall be entitled to be an officer of the State
shall be paid, from the State Treasury is entitled
and the parents or guardians of such children of whom
shall have to bear with expense in order to be paid, they
shall in all cases be entitled to be paid. The State
shall shall be paid the same for each child in the same
same and shall be entitled to the same amount of
shall each child shall receive the same.

Expenses, including education, shall be paid
from the State Treasury. The State shall be
have power to make laws for other children and to
have power for the State to make laws for the State.

ical disability, of so serious nature as to be detrimental
to the welfare of other children in the school....."

(School Laws of State of Wyoming, 1927)
(Compiled Statutes, 1920, Sec. 2249, as amended
by Laws, 1923, Ch. 51)

Chapter Four

SUMMARY OF LEGISLATION AFFECTING THE COMPULSORY
PUBLIC SCHOOL EDUCATION OF THE MENTALLY RETARDED

State	Compul- sory school age	Minimum school term required	Minimum atten- dance required	Age for admis- sion	Age for labor permit	Exemption
¹ Alabama	8-16	No term fixed by law.	Full term of 100 days	Over 6 years	14-16	Mental or physical condition prevents attendance.
² California	8-16	170 days	Full term	6-21	14-16	Mental or physical condition prevents attendance (certified by physician).
³ Connecticut	7-16	38 weeks	Full term	Over 5 years	14-16	Mental or physical condition renders instruc- tion inex- pedient.
⁴ Illinois	7-16	7 months	Full term	6-21	14-16	Mental or physical condition prevents attendance.

¹ School Code of Alabama, 1924

² School Laws of California, 1925

³ Connecticut School Document, 1922

⁴ School Laws of Illinois, 1925

State	Compul- sory school age	Minimum school term required	Minimum atten- dance required	Age for admis- sion	Age for labor permit	Exemption
Louisiana ¹	7-14	7 months	140 days	6-18	14-16	Mentally or physically incapacita- ted. Inadequate school fa- cilities provided.
Massachusetts ²	7-16	160 days of elemen- tary; 180 days of high.	Full term	Any age	14-16	Mental or physical condition renders at- tendance inexpedient.
Minnesota ³	8-16	7 months	Full term but not over ten months.	5-21; under 6 may be excluded	14-16	Bodily or mental con- dition pre- vents atten- dance with profit.
Missouri ⁴	7-16	8 months	Full term	6-20	14-16	Mentally or physically incapacita- ted to at- tend school.

1 Public School Laws of Louisiana, 1923.

2 General Laws of Massachusetts, 1921.

3 Laws of Minnesota Relating to the Public School System, 1923.

4 Missouri Revised School Laws, 1923.

State	Compul- sory school age	Minimum school term required	Minimum atten- dance required	Age for admis- sion	Age for labor permit	Exemption
New Jersey ¹	7-16	9 months	Full term	5-20	14-16	Bodily or mental con- dition pre- vents at- tendance.
New York ²	7-16	180 ac- tual school days.	Full term	5-21	14-17 in dis- tricts of 5,000 popula- tion; 14-16 else- where.	Not in pro- per physi- cal or men- tal condi- tion.
Oregon ³	9-15 inclu- sive	160 days exclu- sive of holidays.	Full term	6-21	14-16	Physically or mental- ly unable to attend.
Pennsylvania ⁴	8-16	8 months; schools of 1st, 2nd, or 3rd class district 180 days.	Full term	6-21	14-16	Mental, physical, or other urgent reasons.

1 New Jersey Laws of 1923.

2 New York Education Laws, 1927.

3 Laws of Oregon, 1923.

4 School Laws of Pennsylvania, 1925.

State	Compul- sory school age	Minimum school term required	Minimum atten- dance required	Age for admis- sion	Age for labor permit	Exemption
¹ Utah	8-18	5 months	20 weeks, 10 of which must be consec- utive; 30 weeks in 1st and 2nd class cities, 10 of which must be consec- utive.	6-18	14-18	Physical or mental condition renders attendance impracti- cable.
² Wisconsin	7-16	8 months	Full term in cities of 1st class; 8 months in all others; 6 months in vil- lages & towns.	4-20; school boards may ad- mit free, persons 20 to 30 yrs. of age.	14-16	Not in proper men- tal or physical condition.

¹ Utah School Laws, 1925.

² Wisconsin School Code, 1923.

State	Age	Sex	Marital Status	Place of Birth	Place of Residence	Occupation
1	2-1	M	Married	Illinois	Illinois	Farmer
2	3-10	F	Married	Illinois	Illinois	Homemaker

1. U.S. Census Bureau, 1930.
2. Wisconsin Census, 1930.

State	Compul- sory school age	Minimum school term required	Minimum atten- dance required	Age for admis- sion	Age for labor permit	Exemption
¹ Wyoming	7-16	3 months	Full term	6-21	14-16	Mentally incapable of doing the school work.

1 Wyoming School Laws, 1923.

"Laws Relating to Education", Bulletin 1928, #20.

Chapter Five

RESULTS OF SPECIAL CLASS LEGISLATION

According to figures compiled by the Federal Bureau of Education, there were 51,814 subnormal and backward children enrolled in the special classes of 218 city day school systems reporting from 33 states in the school year of 1926-1927. The boys enrolled, according to these figures, were almost twice as numerous as the girls, there being 33,214 boys and 18,600 girls.¹ The figures given by the Federal Bureau presumably do not cover the total enrollment in special classes throughout the country, since many school systems doubtless having special classes failed to report.

Dr. Arch O. Heck of Ohio State University has obtained information on enrollment in special classes for subnormal, over-age and ungraded children for the school year 1927-1928 through a questionnaire sent to 762 cities, which, according to the 1920 census, had a population of 10,000 or more. Of these cities, 519 answered the questionnaire. Two hundred and fifty five reported 2,552 special classes for subnormal children, with a total enrollment of 46,625. According to Dr. Heck's classifica-

1 "Schools and Classes for Feeble-minded and Subnormal Children", 1926-1927; Bulletin 1928, #5, U.S. Dept. of Education.

Chapter Three

RESULTS OF SPECIAL CLASS INVESTIGATION

According to figures compiled by the Federal Bureau of Investigation, there were 5,112 children and adolescents in the special classes of the 1930-1931 school year. The figures reported for 1930-1931 are the same as those for 1929-1930. The figures for 1928-1929 are 5,112 boys and 10,000 girls. The figures given by the Federal Bureau presumably do not cover the total enrollment in special classes throughout the country, since many school systems designate having special classes listed in reports.

Dr. Aaron G. Bach of Ohio State University has estimated that the enrollment in special classes for children, over-age and retarded children for the school year 1930-1931 through a questionnaire sent to 753 schools, which, according to the 1930 census, had a population of 10,000 or more. Of these schools, 519 answered the questionnaire. Two hundred and fifty five reported 2,502 special classes for abnormal children, with a total enrollment of 44,825. According to Dr. Bach's classification

1 "Schools and Classes for Feeble-minded and Subnormal Children," 1930-1931; Bulletin 1931, U.S. Dept. of Education.

tion, these classes for subnormals include children who are so mentally retarded that they are unable to profit by the regular school program. This study shows that there was a total of 3,996 special and ungraded classes throughout the country, enrolling in all, 78,014 children, of whom ¹ two-thirds are definitely subnormal.

An inquiry conducted by the National Committee for Mental Hygiene in 1923 discovered that 430 different cities and school districts had a total of 2,492 special classes for mentally retarded children, and an enrollment in that year of 45,719. ²

The following tables, from United States Bulletin, #7, 1930, show the number of pupils enrolled in special classes in city day schools, where the population is 10,000 or more. Table One shows enrollment where state legislation makes education compulsory for the mentally retarded. Alabama is not mentioned.

TABLE I

State	Number of Schools and Classes	Pupil Enrollment	Total Number of Individuals Working in Spe- cial Classes.
California -----	211	4,251	389
Connecticut ----	82	1,354	109

1 Heck, A.O., "Special Class Enrollment", Ohio State Univ.

2 Haines, T.H., "Special Training Facilities for Mentally Handicapped Children in Public Day Schools"; Mental Hygiene, 8:893-911.

tion; these classes for subnormal include on their own
and are generally regarded as being able to profit
by the regular school program. This study shows that there
was a total of 1,000 special and ungraded classes through-
out the country, covering in all, 75,014 children, of whom
two-thirds are definitely subnormal.

As indicated by the national statistics for
mental hygiene in 1925 it is observed that 400 different cities
and school districts had a total of 1,432 special classes
for mentally retarded children, and an enrollment in 1925
just of 45,719.

The following tables, from United States Statistics, 1925,
show the number of pupils enrolled in special classes
in city day schools, where the population is 10,000 or more.
Table One shows a list of states where special education makes
special provision for the mentally retarded. A list of
the states mentioned.

TABLE 1

State	Number of pupils enrolled	Total number of individuals enrolled in spe- cial classes.
California ----	211	200
Connecticut ----	47	100

1. Hall, A.C., "Special Class Treatment," Ohio State Univ.
2. Haines, T.H., "Special Training Facilities for Mentally
Retarded Children in Public Day
Schools," Bureau of Mental Hygiene, 1925-26.

State	Number of Schools and Classes	Pupil Enrollment	Total Number of Individuals Working in Spe- cial Classes.
Illinois -----	187	3,635	198
Louisiana -----	13	190	36
Massachusetts -	290	4,901	327
Minnesota -----	121	1,972	143
Missouri -----	48	744	63
New Jersey ----	180	2,724	225
New York -----	582	10,723	832
Oregon -----	27	431	30
Pennsylvania --	379	7,167	416
Utah -----	1	23	-----
Wisconsin -----	59	847	59
Wyoming -----	6	85	7

1

Even in these states having mandatory legislation for the establishment of special classes, nothing like a complete program of special classes has as yet been organized. It has not been found practicable or expedient within any given time limit to enforce literally the mandatory provisions of the law. Nor has the development of special classes been limited to

1 "Special Schools and Classes in Cities of 10,000 Population in the United States", Bulletin, #7, 1930.

State	Number of Schools in Special Classes	Total Enrollment	Total Number of Pupils in Special Classes
Alabama	187	2,435	100
Arkansas	13	120	30
California	290	4,901	527
Colorado	113	1,973	103
Connecticut	40	744	30
Delaware	100	2,714	120
District of Columbia	383	10,733	633
Florida	27	431	20
Georgia	279	7,137	310
Idaho	1	30	-----
Illinois	80	347	70
Indiana	0	0	0

From the above states having mandatory legislation for the establishment of special classes, nothing like a complete program of special classes has as yet been organized. It has not been found practicable or expedient within the given time limit to enforce literally the mandatory provision of the law. Not has the development of special classes been limited to

I. "Special Schools and Classes in Cities of 25,000 Population in the United States", Bulletin, No. 1030.

those states which have enacted statutes on the subject. Table Two shows the states in which special classes have been established by the educational authorities without specific legislation enactment.

TABLE II

State	Number of Schools and Classes	Pupil Enrollment	Total Number of Individuals Working in Special Classes.
Arizona -----	1	8	1
Colorado -----	21	454	21
D.C. (Washington)	24	349	29
Florida -----	2	41	2
Georgia -----	30	461	32
Indiana -----	28	491	32
Iowa -----	38	520	40
Kansas -----	10	192	13
Kentucky -----	21	368	22
Maine -----	2	36	3
Maryland -----	77	1,169	79
Michigan -----	223	4,867	254
Montana -----	2	30	2
Nebraska -----	13	238	14

These states which have enacted statutes on the subject, have shown the states in which special classes have been established by the educational authorities without legislative enactment.

TABLE II

State	Number of Schools and Classes	Enrollment	Total Number of Individuals enrolled in spe- cial classes
Alabama	1	8	1
Arkansas	21	434	24
California (Washington)	24	149	20
Florida	3	41	7
Georgia	30	481	22
Indiana	28	441	20
Iowa	26	270	40
Kansas	16	142	12
Kentucky	21	508	22
Mississippi	2	26	3
Michigan	27	1,102	73
Minnesota	224	4,767	102
Montana	2	30	2
Nebraska	13	216	14

State	Number of Schools and Classes	Pupil Enrollment	Total Number of Individuals Working in Spe- cial Classes.
New Hampshire -	6	124	6
North Carolina	24	446	25
North Dakota --	4	48	4
Ohio -----	276	5,589	304
Oklahoma -----	30	778	30
Rhode Island --	30	55	33
South Carolina	11	147	11
South Dakota	3	47	5
Tennessee	9	155	11
Texas -----	14	267	16
Vermont -----	3	44	6
Virginia -----	21	428	22
Washington ----	89	1,080	75
West Virginia -	11	195	11

1

1 Bulletin, #7, 1930.

State	Number of Persons and Aliens	Total Population	Total Number of Inhabitants Under 18 Years of Age
New Hampshire	4	124	2
Maine	28	444	10
Ver. Mont.	2	42	4
Ohio	273	4,400	300
California	20	773	30
Wyoming	10	30	20
North Dakota	11	177	11
South Dakota	2	47	2
Nebraska	8	120	11
Texas	14	200	10
Arkansas	2	44	2
Virginia	17	420	12
Washington	2	1,000	7
West Virginia	11	120	11

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